THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.23210 OF 2006

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DATE: 08th November 2006

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Between:

Derangula Venkata Srinivasa Rao,
s/o Subba Rao, Hindu, aged 36 years,
cultivation, r/o Samisragudem (v),
Nidadavole (M), West Godavari District.

… Petitioner.

And

1. The State of A.P., rep. by the
   District Collector, West Godavari at Eluru
   and 6 others.

… Respondents.

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ORDER:

Heard the counsel.

2. This writ petition is filed for a writ of Certiorari calling for records relating to E.O.P.No.8 of 2006 on the file of the Principal Junior Civil Judge, Kovvur and quash the order dated 18.9.2006 in I.A.No.1863 of 2006 in E.O.P.No.8 of 2006 and for a consequential order to grant injunction restraining the 5th respondent from acting as Sarpanch of Samisragudem Gram Panchayat, Nidadavole Mandal, West Godavari District, till the disposal of main election petition and pass suitable orders.

3. Several factual details are narrated. On perusal of the order impugned in the writ petition, the learned Principal Junior Civil Judge, Kovvur, had observed no *prima facie* case to make a restraint order. Even otherwise, normally an elected Sarpanch cannot be restrained

unless the main election O.P. as such is decided. In view of the same, this Court has not find any legal infirmity in the impugned order. However, it is needless to say that the election O.P. is to be disposed of at an early date.

4. In view of the same the learned Principal Junior Civil Judge, Kovvur, to make an endeavour to dispose of E.O.P.No.8 of 2006 at an early date, preferably, within four months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

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08-11-2006

BSB